



Kenai Planning & Zoning Commission - Regular Meeting

August 28, 2019 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

<https://www.kenai.city>

AGENDA

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda
5. *Excused Absences

All items listed with an asterisk () are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

B. APPROVAL OF MINUTES

1. *August 14, 2019

C. SCHEDULED PUBLIC COMMENT

Public comment limited to ten (10) minutes per speaker)

D. UNSCHEDULED PUBLIC COMMENT

(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

E. CONSIDERATION OF PLATS

F. PUBLIC HEARINGS

1. **Resolution PZ2019-33** - Recommending the Kenai City Council Amend Kenai Municipal Code 14.20.175 – Adult Businesses, to Increase the Buffer Distances Between Adult Businesses and Sensitive Uses from 500 Feet to 1,000 Feet and Define Sensitive Uses.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

I. **PENDING ITEMS**

J. **REPORTS**

1. City Council
2. Borough Planning
3. Administration

K. **ADDITIONAL PUBLIC COMMENT**

(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

1. Citizens Comments *(Public comment limited to five (5) minutes per speaker)*
2. Council Comments

L. **INFORMATIONAL ITEMS**

M. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. September 11, 2019

N. **COMMISSION COMMENTS AND QUESTIONS**

O. **ADJOURNMENT**

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
AUGUST 14, 2019 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

Commission Chair Twait called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Commission Chair Twait led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: Chair J. Twait, Vice-Chair D. Fikes, R. Springer, J. Halstead

Commissioners absent: V. Askin, T. McIntyre, G. Greenberg

Staff/Council Liaison present: City Planner E. Appleby, Planning Assistant W. Anderson, City Clerk J. Heinz, City Attorney S. Bloom, Council Liaison B. Molloy

A quorum was present.

3. Agenda Approval

The following revisions to the packet were noted:

Add to item F.1. Resolution No. PZ2019-27
• Public Comment

Add to item F.2. Resolution No. PZ2019-29
• Public Comment

MOTION:

Commissioner Halstead **MOVED** to approve the agenda with the additions to the packet and Commissioner Springer **SECONDED** the motion. There were no objections; **SO ORDERED.**

4. Consent Agenda

MOTION:

Commissioner Halstead **MOVED** to approve the consent agenda and Commissioner Springer

SECONDED the motion. There were no objections; **SO ORDERED**.

All items listed with an asterisk () are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

- 5. *Excused absences – V. Askin, T. McIntyre, G. Greenberg

B. *APPROVAL OF MINUTES

- 1. July 24, 2019

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

- 1. **Resolution PZ2019-31** - The Original Preliminary Plat of Evergreen Subdivision 2019 Replat, submitted by McLane Consulting, Inc., P.O. Box 498, Soldotna, AK 99669, on behalf of Wallace and Leona Jackson, P.O. Box 1948, Kenai, AK 99611.

MOTION:

Commissioner Halstead **MOVED** to approve Resolution No. PZ2019-31 and Commissioner Springer **SECONDED** the motion.

City Planner Appleby reviewed the staff report provided in the packet noting the plat vacated a property line between two lots so the accessory structure stood on the same lot as the residence and recommended approval with the following condition:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations.

Chair Twait opened the floor for public testimony; there being no one wishing to be heard, public comment was closed.

Clarification was provided that water could be provided to the garage so long as it did not cross another property line and would be a part of the Building Permit process.

VOTE:

YEA: Springer, Fikes, Twait, Halstead

NAY:

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution PZ2019-27** - Application for a Conditional Use Permit to Operate an Approximately Retail Marijuana Store Described as Lot 2, C Plaza Subdivision and Located at 12516 Kenai Spur Highway. The application was submitted by ACG, LLC, 5455 Kenai Spur Highway, Kenai, AK 99611.

MOTION:

Commissioner Springer **MOVED** to approve Resolution No. PZ2019-27 and Commissioner Halstead **SECONDED** the motion.

City Planner Appleby reviewed the staff report provided in the packet noting the Conditional Use Permit would allow an approximately 250 square foot Retail Marijuana Store area within an already permitted Marijuana Product Manufacturing Facility and, based on the review of criteria, found that the permit could be approved with the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations;
- Prior to operation of the retail marijuana establishment, the applicant shall submit a copy of an approved and fully executed license from the State of Alaska Alcohol and Marijuana Control Office. The applicant shall comply with all regulations stipulated by the State of Alaska Marijuana Control Office;
- Pursuant to Kenai Municipal Code Section 14.20.330(e), the Commercial Establishment shall not emit an odor that is detectable by the public from outside the Commercial Marijuana Establishment;
- Pursuant to Kenai Municipal Code Section, 14.20.150(f) the applicant shall submit an Annual Report to the City of Kenai;
- The applicant will enclose the dumpster on the premises with a sight-obscuring structure to meet requirements outlined in KMC 14.25.045 for their site plan of the premises;
- The applicant will also comply with the conditions of PZ2017-20 granting their Commercial Marijuana Product Manufacturing Facility Conditional Use Permit for the facility in the same building and modify that permit if the use changes.

Chair Twait opened the floor for public testimony.

Roger Boyd, Principal of ACG, LLC, addressed the letter from Kenai Christian Church provided in the laydown noting the former Planner watched the church on several occasions during the permitting process for the Marijuana Product Manufacturing Facility in 2017 and it was determined the main entrance of the church was further than the required distance and noted a neon beer sign was closer to the church than 500-feet. He pointed out regulations being in place brought marijuana off the black market. Finally, Mr. Boyd provided a history of the building and suggested marijuana retail shops were similar to small neighborhood convenience stores.

David Hall spoke against the Conditional Use Permit noting the family orientation of the adjacent strip mall, which he owned; also noted his building shared a parking lot with the subject building and expressed concern with the measurement of distance between the facility and church. He added that the coffee shop in the plaza occasionally hosted bible studies and the Friendship Mission for men was nearby.

There being no one else wishing to be heard, public comment was closed.

Clarification was provided that in 2017, it was found that the main entrance door to be 504-feet from the marijuana establishment using GIS Software and a survey showed 516-feet from proposed establishment to the main, covered entrance of the church.

The applicant noted the double glass doors would be the main entrance to the Marijuana Retail Store; the same entrance as the former establishment.

It was noted that the establishment had been operating as a manufacturing facility without complaint and legally met the requirements.

Clarification was provided that, in 2017, there wasn't a condition put in place regarding signage, just that a sign permit be obtained.

Appreciation was expressed for the testimony presented, it was noted the legal criteria had been met and the Commission members agreed with staff's findings and would support the Permit.

Clarification provided that a Conditional Use Permit for each use was preferred so, if one use was ended, the associated permit would expire with the specific use.

VOTE:

YEA: Springer, Fikes, Twait, Halstead

NAY:

MOTION PASSED UNANIMOUSLY.

Commission Chair Twait noted the fifteen-day appeal period.

- 2. **Resolution PZ2019-29** - Recommending the Council of the City of Kenai Amend Kenai Municipal Code 14.20.330 - Standards for Commercial Marijuana Establishments, to Incorporate Hours of Operation for Retail Marijuana Establishments into the City of Kenai's Code of Ordinances.

MOTION:

Commissioner Halstead **MOVED** to approve Resolution No. PZ2019-29 and Commissioner Springer **SECONDED** the motion.

City Planner Appleby reviewed the staff report provided in the packet noting the recommendation would go to City Council to amend the Municipal Code to provide local closure requirement be from 2:00 a.m. to 8:00 a.m., consistent with other areas in the Kenai Peninsula Borough; also noted the State of Alaska's regulations were from 5:00 a.m. to 8:00 a.m.

Chair Twait opened the floor for public testimony.

Ron Isaacs spoke against the resolution noting alcohol establishments could be open later; suggested alcohol and other drugs were more dangerous than marijuana. Mr. Isaacs also suggested that if a retail marijuana store wanted to stay open until 5:00 a.m. during times of high

volume, such as during the Dipnet Fishery, they should be able to.

There being no one else wishing to be heard, public comment was closed.

It was noted the desire was to match the Kenai Peninsula Borough regulations so there was no undue advantage.

The suggestion was made that it may be an issue for Kenai to be open later than Soldotna in terms of a customer driving to get product. Cost effectiveness of being open versus being closed during slow times was also discussed.

VOTE:

YEA: Springer, Fikes, Twait, Halstead

NAY:

MOTION PASSED UNANIMOUSLY.

- 3. **Resolution PZ2019-32** - Recommending the Council of the City of Kenai Enact Ordinance 3072-2019 to Renaming, Repealing, and Re-enacting Kenai Municipal Code Title 22-General Fund Lands, Renaming Title 21-City Airport and Airport Lands, and Repealing Kenai Municipal Code Chapter 21.15-Lease and Sale of Airport Lands Outside of the Airport Reserve to Encourage Responsible Growth and Development to Support a Thriving Business, Recreation and Cultural Community through Responsible Land Policies and Practices.

MOTION:

Commissioner Springer **MOVED** to approve Resolution No. PZ2019-32 and Commissioner Halstead **SECONDED** the motion.

City Planner Appleby reviewed the staff report provided in the packet noting that a working group within Administration developed the policies and procedures and Council had referred the Ordinance to the Commission for a recommendation. She added that the Ordinance offered development incentives, provided for a competitive lease and sale process, and required development to discourage speculation. Appleby also noted the proposed changes aligned with two objectives identified in the Comprehensive Plan.

Chair Twait opened the floor for public testimony; there being no one wishing to be heard, public comment was closed.

VOTE:

YEA: Springer, Fikes, Twait, Halstead

NAY:

MOTION PASSED UNANIMOUSLY.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. **Action/Approval-** Application for Lease of City-owned Land within the Airport Reserve Described as a Portion of Tract A, General Aviation Apron Subdivision No. 2 and Located at 209 N. Willow Street. The application was submitted by SOAR International Ministries, P.O. Box 1714, Kenai, AK 99611.

MOTION:

Commissioner Halstead **MOVED** to recommend approval of the SOAR lease application and Commissioner Springer **SECONDED** the motion.

City Planner Appleby reviewed the staff report provided in the packet noting this was a re-application after SOAR did not take development action on its former application as required and an extension on the timeline for the necessary development was not granted. She added that the proposed development was to construct a 120-foot x 180-foot hangar with associated office facility and tie-down space for flight training and aircraft part sales.

Clarification was provided that a Site Plan and Building Permit would be required prior to a certain percentage of tree removal or construction.

VOTE:

YEA: Springer, Fikes, Twait, Halstead
NAY:

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Molloy reviewed the action agenda from the August 7 City Council meeting.
2. **Borough Planning** – Vice-Chair Fikes reported action from the August 12 Borough Planning and Platting Committee meetings.
3. **Administration** – City Planner Appleby reported on the following:
 - Upcoming meetings; and
 - Attended a Kenai Peninsula Borough Alaska LNG Project Advisory Committee meeting.

K. ADDITIONAL PUBLIC COMMENT – None.

L. INFORMATIONAL ITEMS – None.

M. NEXT MEETING ATTENDANCE NOTIFICATION – August 28, 2019

N. COMMISSION COMMENTS & QUESTIONS – None.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 8:45 p.m.

Minutes prepared and submitted by:

Jamie Heinz, CMC
City Clerk



"Village with a Past, City with a Future"

210 Fidalgo Ave, Kenai, Alaska 99611-7794
Telephone: (907) 283-7535 | Fax: (907) 283-3014
www.kenai.city

MEMORANDUM

TO: Kenai Planning and Zoning Commission

FROM: Elizabeth Appleby, City Planner

DATE: August 22, 2019

SUBJECT: **Agenda Item F1. Resolution PZ2019-33 - Recommending the Council of the City of Kenai Enact Ordinance No. 3083-2019 Covering Kenai Municipal Code for City-Owned Lands**

I request the Planning and Zoning Commission remove agenda item F1 Resolution PZ2019-33 - Recommending the Council of the City of Kenai Enact Ordinance No. 3083-2019 Covering Kenai Municipal Code for City-Owned Lands from Public Hearings.

I also request the Planning and Zoning Commission add a new agenda item H1 under New Business of Discussion of PZ2019-33 - Recommending the Council of the City of Kenai Enact Ordinance No. 3083-2019 Covering Kenai Municipal Code for City-Owned Lands. There is information to share with the Commission regarding Resolution PZ2019-33, and I recommend the Planning and Zoning Commission have Resolution PZ2019-33 as a discussion item under New Business before it comes before the Commission as an agenda item under Public Hearings.

Thank you for your consideration.





Kenai City Council - Regular Meeting
 August 21, 2019 – 6:00 PM
 Kenai City Council Chambers
 210 Fidalgo Avenue, Kenai, Alaska
www.kenai.city

ACTION AGENDA

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Consent Agenda (*Public comment limited to three (3) minutes) per speaker; thirty (30) minutes aggregated*)

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B. SCHEDULED PUBLIC COMMENTS

(Public comment limited to ten (10) minutes per speaker)

1. **Tim Dillon, Executive Director, Kenai Peninsula Economic Development District** - Overview of New Kenai Peninsula Economic Development District website and resources.

C. UNSCHEDULED PUBLIC COMMENTS

(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)

D. PUBLIC HEARINGS

1. **POSTPONED TO A MEETING NO LATER THAN 10/02/19 FOR A SECOND PUBLIC HEARING, AFTER A WORK SESSION TO BE SCHEDULED.**
Ordinance No. 3072-2019 - Renaming, Repealing and Re-Enacting Kenai Municipal Code Title 22-General Fund Lands, Renaming Title 21-City Airport and Airport Lands, and Repealing Kenai Municipal Code Chapter 21.15-Lease and Sale of Airport Lands Outside of the Airport Reserve to Encourage Responsible Growth and Development to Support a Thriving Business, Residential, Recreational and Cultural Community through Responsible Land Policies and Practices. (Administration)

2. **ENACTED UNANIMOUSLY. Ordinance No. 3073-2019** - Accepting and Appropriating a Grant from the State of Alaska for the Purpose of Purchasing Books. (Administration)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3074-2019** - Increasing Estimated Revenues and Appropriations by \$1,504.82 in the FY2019 General Fund - Police Department for State Traffic Grant Overtime Expenditures. (Administration)
4. **ENACTED UNANIMOUSLY. Ordinance No. 3077-2019** - Increasing Estimated Revenues and Appropriations in the Water & Sewer Special Revenue and Water & Sewer Improvements Capital Project Funds for Engineering and Design Services to Relocate Well House #1 which was Damaged by the November 30, 2018 Magnitude 7.0 Southcentral Alaska Earthquake. (Administration)
5. **ENACTED UNANIMOUSLY. Ordinance No. 3078-2019** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvement Capital Project Funds to Provide Supplemental Funding for the 2019 Airfield Marking, Crack Sealing, Seal Coating, and Minor Pavement Repair Project. (Administration)
 - a. Motion for Introduction
 - b. Motion for Second Reading (Requires a Unanimous Vote)
 - c. Motion for Adoption (Requires Five Affirmative Votes)
6. **ADOPTED. Resolution No. 2019-56** - Stating its Conditional Protest Regarding the Issuance of a New Distillery Liquor License No. 5826, for High Mark Distillery, Inc., DBA High Mark Distillery, Inc., Located at 2270 Royal Street, Warehouse #1, Kenai AK, 99611 and Authorizing the City Clerk to Notify the Alaska Alcohol and Marijuana Control Office if Conditions are Met. (City Clerk)
7. **ADOPTED UNANIMOUSLY. Resolution No. 2019-57** - Application for Lease of City-owned Land within the Airport Reserve from SOAR International Ministries, Inc. for the Undeveloped Portion of Tract A, General Aviation Subdivision No. 2. (Administration)
8. **POSTPONED TO COME BACK AT THE SAME MEETING AS ORDINANCE NO. 3072-2019. Resolution No. 2019-58** - Amending its Comprehensive Schedule of Rates, Charges, and Fees to Incorporate Changes to Application Fees for Lands Outside the Airport Reserve. (Administration)
9. **ADOPTED UNANIMOUSLY. Resolution No. 2019-59** - Approving an Amendment Extending the Agreement for Services to Provide On-Site Facility Management for Vintage Pointe Manor Congregate Housing. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA** *Regular Meeting Minutes of August 7, 2019

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA *Action/Approval** - Bills to be Ratified. (Administration)
2. **APPROVED BY THE CONSENT AGENDA *Action/Approval** – Purchase Orders Exceeding \$15,000. (Administration)
3. **APPROVED BY THE CONSENT AGENDA *Action/Approval** - Non-Objection to the Renewal of Limited Marijuana Cultivation Facility Licenses for Peninsula Botanicals, LLC and Herban Extracts, LLC. (City Clerk)
4. **APPROVED BY THE CONSENT AGENDA *Action/Approval** - Non-Objection to the renewal of a Retail Marijuana Store Licenses for Kenai River Cannabis Company and Majestic Gardens. (City Clerk)
5. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING SET FOR 09/04/19. *Ordinance No. 3079-2019** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds and Accepting a Grant from the Federal Aviation Administration for the Purchase of Two Aircraft Rescue and Firefighting (ARFF) Vehicles, Rehabilitation of the Fire Training Props, and Rehabilitation of the Training Facility for the Alaska Regional Fire Training Facility. (Administration)
6. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING SET FOR 09/04/19. *Ordinance No. 3080-2019** - Increasing Estimated Revenues and Appropriations in the Terminal Improvements Capital Fund, and Authorizing an Increase to the Construction Purchase Order to Blazy Construction, Inc. (Administration)
7. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING SET FOR 09/04/19. *Ordinance No. 3081-2019** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund, and Authorizing an Increase to the Construction Purchase Order to Polar North Construction, Inc. (Administration)
8. **INTRODUCED BY CONSENT AGENDA/PUBLIC HEARING SET FOR 09/04/19. *Ordinance No. 3082-2019** - Amending Kenai Municipal Code Chapter 5.35, Oil and Gas Wells, to Provide that Applications and Supplemental Applications be Filed with the City Manager. (City Clerk)
9. **INTRODUCED/PUBLIC HEARING SET FOR 09/04/19. Ordinance No. 3083-2019** - Amending Kenai Municipal Code 14.20.175 - Adult Businesses, To Increase The Buffer Distances Between Adult Businesses And Sensitive Uses From 500 Feet To 1000 Feet And Define Sensitive Uses. (Council Member Pettey)
10. **Discussion** - Public Notice of City Council Meetings. (City Clerk)

H. COMMISSION / COMMITTEE REPORTS

1. Council on Aging

2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Committee
7. Mini-Grant Steering Committee

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

1. City Manager
2. City Attorney
3. City Clerk

K. ADDITIONAL PUBLIC COMMENT

1. Citizens Comments (*Public comment limited to five (5) minutes per speaker*)
2. Council Comments

L. EXECUTIVE SESSION

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATION ITEMS

1. Purchase Orders between \$2,500 and \$15,000.
2. Performing Arts Society Request

The agenda and supporting documents are posted on the City's website at www.kenai.city. Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.



Planning Commission Tentative Agenda

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2215 • (907) 714-2378 Fax

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

Max J. Best, Planning Director • Charlie Pierce, Borough Mayor

*Blair Martin, Chairman – Kalifornsky Beach • Robert Ruffner, Vice Chairman – Kasilof/Clam Gulch
Dr. Rick Foster, Parliamentarian – Southwest Borough • Syverine Abrahamson-Bentz – Anchor Point/Ninilchik
Jeremy Brantley – Sterling • Paulette Bokenko-Carluccio – City of Seldovia • Cindy Ecklund – City of Seward
Robert F. Ernst – Northwest Borough • Diane Fikes – City of Kenai • Virginia Morgan – East Peninsula
Franco Venuti – City of Homer • Paul Whitney – City of Soldotna*

August 26, 2019

7:30 p.m.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

All items marked with an asterisk (*) are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner so requests in which case the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.

If you wish to comment on a consent agenda item or a regular agenda item other than a public hearing, please advise the recording secretary before the meeting begins, and she will inform the Chairman of your wish to comment.

***1. Time Extension Request**

- a. Anchor Crest 2011
KPB File 2011-041 [Imhoff / Kyllonen]
Location: Anchor Point; Anchor Point APC

***2. Planning Commission Resolutions - None**

***3. Plats Granted Administrative Approval**

***4. Plats Granted Final Approval (20.10.070) - None**

***5. Plat Amendment Request - None**

***6. Utility Easement Vacations**

- a. Vacate a utility easement in the City of Seward. Location: Vacate the 10 foot wide utility easement crossing Lot B1 Forest Acres Subdivision Levee Replat (Plat SW 2012-17), excluding the 10 foot wide portions adjoining the north and east lot lines; within Section 34, Township 1 North, Range 1 West, Seward Meridian, Kenai Peninsula Borough, Alaska. KPB File 2019-054V. Petitioner: Thomas Gillespie, Raymond Gillespie, and Catherine Weiford of Seward, Alaska

- b. Vacate a utility easement in the Fritz Creek area. Location: Vacate the 20 foot wide utility easements on the shared lot lines of Lots 6 and 7, Block 3 and Lots 6 and 13, Block 3, Glacierview Farm (Plat HM 79-16); within Section 7, Township 5 South, Range 11 West, Seward Meridian, Kenai Peninsula Borough, Alaska. KPB File 2019-090V. Petitioners: Dale and Linda Petkash of Arvada, Colorado and Donald and Sharron Cotogno of Fritz Creek, Alaska.

***7. Commissioner Excused Absences**

- a. Vacant, Ridgeway

***8. Minutes**

- a. August 12, 2019 Planning Commission Meeting

D. PUBLIC COMMENT/PRESENTATIONS/COMMISSIONERS

(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made.)

E. UNFINISHED BUSINESS

1. Resolution 2019-22; Application for a Conditional Use Permit for the installation of an in-ground sleeve for a removable/adjustable aluminum flag pole within the 50 foot Anadromous Waters Habitat Protection District. The project is located on a canal on the right bank of the Kenai River near River Mile 15, Lot 70, River Quest Phase 1 Amended Subdivision (KN 2004-111), Section 19, Township 5 North, Range 10 West, Seward Meridian, Kenai, Alaska. Parcel: 055-033-68. Petitioner: Terry Weber of Kenai, AK.
2. Attach findings to the August 12, 2019 decision for the vacation of a section line easement and pedestrian easement in the Diamond Ridge area. Located within the SW ¼ of Section 2 and the SE ¼ of Section 3, Township 6 South, Range 13, West, Seward Meridian, Kenai Peninsula Borough, Alaska. KPB File 2019-085V. Petitioners: Spotty Merle, LLC of Peachtree City, GA, Peter and Kathleen Zuyus, and Richard Koskovich of Homer, AK.

F. PUBLIC HEARINGS

1. Ordinance 2019-__; An Ordinance Amending Kenai Peninsula Borough 2.56.006, Adopting the 2019 Kenai Peninsula Borough Comprehensive Plan.
2. Ordinance 2019-__; Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions.
3. Ordinance 2019-__; An Ordinance Amending KPB Chapter 21.25, Conditional Land Use Permits and Amending KPB Chapter 21.29, Material Site Permits.

G. ANADROMOUS WATERS HABITAT PROTECTION DISTRICT (21.18)

1. Resolution 2019-26; Application for a Conditional Use Permit for the installation of an 8' x 260' fence within the Borough's 50-foot Anadromous Waters Habitat Protection District. The project is located on Daniels Lake, Lot 1, Rappe Park Subdivision Amended (KN 0870105), Section 34, Township 8 North, Range 11 West, Seward Meridian, Nikiski, Alaska. Parcel: 013-410-53. Petitioner: Stacy Oliva of Nikiski, AK.
2. Resolution 2019-27; Application for a Conditional Use Permit for the installation of a satellite dish and fire pit within the Borough's 50-foot Anadromous Waters Habitat Protection District. The project is located on the Kenai River near River Mile 23.5, Lot 14, Block 2, Keystone Estates Subdivision Part 2 (KN 0760050), Section 25, Township 5 North, Range 10 West, Seward Meridian, Soldotna, Alaska. Parcel: 058-200-17. Petitioner: George Borderieux of Anchorage, AK.
3. Resolution 2019-28; Application for a Conditional Use Permit for the installation of a 6' diameter culvert within the Borough's 50-foot Anadromous Waters Habitat Protection District. The project is located at Section 25, Township 4 South, Range 15 West, Seward Meridian, Anchor Point, Alaska. Parcel: 165-162-24. Petitioner: Mona Stutes of Anchor Point, AK. Agent: Gina DeBardelaben of Soldotna, AK.

H. VACATIONS NOT REQUIRING A PUBLIC HEARING - None**I. SPECIAL CONSIDERATIONS**

1. Building Setback Exception
Lot 8 Block 6 Carver Subdivision Part 3
KPB File 2019-098; Resolution No. 2019-29
Location: on Carver Drive and Gene Avenue; Ridgeway area

J. SUBDIVISION PLAT PUBLIC HEARINGS

1. The Plat Committee will review 7 preliminary plat.

K. OTHER/NEW BUSINESS**L. ASSEMBLY COMMENTS****M. LEGAL REPRESENTATIVE COMMENTS****N. DIRECTOR'S COMMENTS****O. COMMISSIONER COMMENTS****P. PENDING ITEMS FOR FUTURE ACTION**

Q. ADJOURNMENT

**MISCELLANEOUS INFORMATIONAL ITEMS
NO ACTION REQUIRED**

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, September 9, 2019** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley St, Soldotna, Alaska at **7:30 p.m.**

ADVISORY PLANNING COMMISSION MEETINGS

ADVISORY COMMISSION	MEETING LOCATION	DATE	TIME
Anchor Point	Anchor Point Chamber of Commerce	September 4, 2019	7:00 p.m.
Cooper Landing	Cooper Landing Community Hall	September 4, 2019	6:00 p.m.
Funny River	TBD	TBD	TBD
Moose Pass	Moose Pass Community Hall	TBD	6:30 p.m.
Hope / Sunrise	Hope Social Hall	TBD	6:00 p.m.
The Kachemak Bay Advisory Planning Commission is inactive at this time.			

NOTE: Advisory planning commission meetings are subject to change. Please verify the meeting date, location, and time with the advisory planning commission chairperson. Chairperson contact information is on each advisory planning commission website, which is linked to the Planning Department website.

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: planning@kpb.us

website: <http://www.kpb.us/planning-dept/planning-home>



Plat Committee Tentative Agenda

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

Paulette Bokenko-Carluccio – City of Seldovia • Dr. Rick Foster – Southwest Borough

Virginia Morgan – East Peninsula • Paul Whitney – City of Soldotna

Alternates: Jeremy Brantley – Sterling

AUGUST 26, 2019

6:30 p.m.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

1. Agenda
2. Member/Alternate Excused Absences
3. Minutes
 - a. August 12, 2019 Plat Committee Meeting

D. PUBLIC COMMENT

(Items other than those appearing on the agenda or not scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made.)

E. SUBDIVISION PLAT PUBLIC HEARINGS

1. Newell Park East Graceland Addition
KPB File 2019-095 [Orion Surveys / Reynolds]
Location: on Newell Court, off Greer Road and East End Road; Fritz Creek
Kachemak Bay APC
2. Section Line Easement Vacation Plat Associated with Gruening Vista Subdivision
KPB File 2019-085 [McLane Consulting Group / Spotty Merle, LLC, Zuyus, Koskovich]
Location: on Dorothy Drive, off Skyline Drive; Diamond Ridge
Kachemak Bay APC
3. Section Line Easement Vacation Plat Associated with Lot 1A Riverview Subdivision
Coghill Replat
KPB File 2019-064; [McLane Consulting Group / David Allen Rodgers and Susan Marie Rodgers
Revocable Trust]
Location: on S Kobuk Street, on the Kenai River; City of Soldotna
4. Eagles Landing Subdivision 2019 Replat
KPB File 2019-091 [Johnson Surveying / St. Clair]
Location: on Eagles Wing Circle and on Whisper Lake; Sterling

5. Shoreline Heights Thiele Replat
KPB File 2019-092 [Edge Survey & Design, LLC / Thiele]
Location: on Pey Drive, off the Kenai Spur Highway; City of Kenai
6. Kenai River Keys Subdivision 2019 Addition
KPB File 2019-093 [Crazy Mountain Joint Venture / Sokolov Family Revocable Living Trust, Akin, Simonds]
Location: on Sockeye Lane, off Kenai Keys Road; Sterling
7. Inglebrook Subdivision Gunn Addition
KPB File 2019-094 [Segesser Surveys / Gunn, Brewer]
Location: on Robinson Loop Road, Missouri Street and Leggett Court; Sterling

F. FINAL SUBDIVISION PLAT PUBLIC HEARING - None

G. OTHER / NEW BUSINESS

H. MISCELLANEOUS INFORMATION – NO ACTION REQUIRED

I. ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING

The next regularly scheduled Plat Committee meeting will be held **Monday, September 9, 2019** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley, Soldotna, Alaska at **5:30 p.m.**

PLANNING DEPARTMENT

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